

**MINUTES OF  
FAUQUIER COUNTY PLANNING COMMISSION  
MAY 19, 2016**

**Work Session  
10:30 a.m.  
Warren Green Meeting Room  
10 Hotel Street, Warrenton, Virginia**

*The Fauquier County Planning Commission held a Work Session on Thursday, May 19, 2016, beginning at 10:30 a.m., in the Warren Green Meeting Room, 10 Hotel Street, Warrenton, Virginia. Members present were Ms. Adrienne Garreau, Chairperson; Mr. John Meadows, Vice-Chairperson; Mr. Bob Lee, Mr. Ken Alm, and Mr. Matthew Smith. Also present were Ms. Tracy Gallehr, Ms. Kimberley Fogle, Ms. Kimberley Johnson, Ms. Holly Meade, Mr. Andrew Hopewell, Mr. Rob Walton and Mr. Adam Shellenberger.*

**ZONING ORDINANCE TEXT AMENDMENT** – A Zoning Ordinance Text Amendment to Section 6-105.6 in order to allow a reduction of the required 100 foot barn setback when located on, and adjacent to, properties zoned Rural Conservation (RC) and Rural Agriculture (RA).

Mr. Rob Walton reviewed the proposed amendment.

**SPECIAL EXCEPTION – SPEX-16-004673 – JEFFERY K. AND TERENDA K. RIZER (OWNERS)/JEFFERY AND TIFFANY RIZER (APPLICANTS) – HARKAWAY FARM**

Mr. Adam Shellenberger reviewed the application.

**SPECIAL EXCEPTION AMENDMENT – SPEX-16-004723 AND SPECIAL PERMIT AMENDMENT – SPPT-16-004737 – GREAT MEADOW FOUNDATION, A/K/A MEADOW OUTDOORS FOUNDATION, INC., F/K/A THE MEADOW OUTDOORS FOUNDATION, INC. (OWNERS)/GREAT MEADOW FOUNDATION (APPLICANT) – GREAT MEADOW FOUNDATION**

Mr. Adam Shellenberger reviewed the application.

**MOO THRU UPDATE**

Ms. Holly Meade provided an update on the application.

## **PROFFER LAGISLATION PRESENTATION**

Mr. Andrew Hopewell and Ms. Tracy Gallehr led the discussion.

### **CLOSED MEETING:**

On motion made by Mr. Ken Alm and seconded by Ms. Adrienne Garreau, it was moved to go into a closed meeting, pursuant to *Code of Virginia* Section 2.2-3711(A)(7) for the purpose of consultation with legal counsel pertaining to specific legal matters requiring the provision of legal advice by counsel relating to legislative changes in the State Code provision regarding proffers in residential rezonings.

The motion carried 5 – 0, as follows:

AYES: Mr. John Meadows, Mr. Bob Lee, Mr. Matthew Smith, Ms. Adrienne Garreau and Mr. Ken Alm

NAYS: None

ABSTENTION: None

ABSENT: None

Upon reconvening from the closed meeting, Mr. Ken Alm read the following Certification of Closed Meeting:

The Fauquier County Planning Commission, having adjourned into a closed meeting this day for the purposes stated in the resolution authorizing such meeting, does hereby certify that to the best of each member's knowledge:

1. Only public business matters lawfully exempted from open meeting requirements under the Virginia Freedom of Information Act; and
2. Only such public business matters as were identified in the motion by which the closed meeting was convened, were heard, discussed, or considered in the closed meeting.

This certification shall be recorded in the minutes of the Planning Commission on motion of Mr. Ken Alm and seconded by Ms. Adrienne Garreau.

The motion carried 5 – 0, as follows:

AYES: Mr. John Meadows, Mr. Bob Lee, Mr. Matthew Smith, Ms. Adrienne Garreau and Mr. Ken Alm

NAYS: None

ABSTENTION: None

ABSENT: None

**APPROVAL OF MINUTES – APRIL 21, 2016**

Planning Commission members discussed the minutes.

**PLANNING COMMISSIONERS' TIME**

Planning Commission members continued the conversation of going paperless and that IT is looking into the use of iPads.

Planning Commission members discussed the upcoming site visit to Mintbrook Subdivision on June 16, 2016.

The meeting was adjourned at 12:15 p.m.

***Regular Meeting  
6:30 p.m.  
Warren Green Meeting Room  
10 Hotel Street, Warrenton, Virginia***

***The Fauquier County Planning Commission held its regular meeting on Thursday, May 19, 2016, beginning at 6:30 p.m. in the Warren Green Meeting Room, 10 Hotel Street, Warrenton, Virginia. Members present were Ms. Adrienne Garreau, Chairperson; Mr. John Meadows, Vice-Chairperson; Mr. Bob Lee, Mr. Ken Alm, and Mr. Matthew Smith. Also present were Ms. Tracy Gallehr, Ms. Holly Meade, Mr. Rob Walton and Mr. Adam Shellenberger.***

1. **APPROVAL OF MINUTES** – April 21, 2016

On motion made by Mr. Ken Alm and seconded by Mr. John Meadows, it was moved to approve the April 21, 2016 minutes as amended.

The motion carried unanimously.

*Public Hearings  
6:30 p.m.  
Warren Green Meeting Room, First Floor, 10 Hotel Street  
Warrenton, Virginia*

1. **CITIZENS' TIME**

No one spoke.

2. **ANNOUNCEMENTS**

Ms. Holly Meade stated that the application for Harkaway Farm, SPEX-16-004673, has been withdrawn by the applicant; therefore, there will not be a public hearing on the item.

3. **ZONING ORDINANCE TEXT AMENDMENT** – A Zoning Ordinance Text Amendment to Section 6-105.6 in order to allow a reduction of the required 100 foot barn setback when located on, and adjacent to, properties zoned Rural Conservation (RC) and Rural Agriculture (RA). (Rob Walton, Staff)

Mr. Rob Walton reviewed the staff report, a copy of which is attached to and made part of these official minutes.

Ms. Adrienne Garreau opened the public hearing.

In that there were no speakers, Ms. Adrienne Garreau closed the public hearing.

On motion made by Mr. John Meadows and seconded by Ms. Adrienne Garreau, it was moved to forward this item to the Board of Supervisors with a recommendation of approval.

The motion carried unanimously.

4. **SPECIAL EXCEPTION AMENDMENT – SPEX-16-004723 AND SPECIAL PERMIT AMENDMENT – SPPT-16-004737 – GREAT MEADOW FOUNDATION, A/K/A MEADOW OUTDOORS FOUNDATION, INC., F/K/A THE MEADOW OUTDOORS FOUNDATION, INC. (OWNERS)/GREAT MEADOW FOUNDATION (APPLICANT) – GREAT MEADOW FOUNDATION** – An application to amend previously approved conditions of a Special Exception Amendment (SEAM08-SC-002) and a Special Permit Amendment (SPPT08-SC-029) to allow for limited overnight stays on the property and to permit lighting at the Fleming Farm Arena. The properties are located at 5089 Old Tavern Road, 7234 Fleming Farm Road, and 7297 Fleming Farm Road, Scott District. (PIN 6978-85-9359-000, 6988-14-0670-000, and 6988-03-6214-000) (Adam Shellenberger, Staff)

Mr. Bob Lee recused himself and explained that he serves on the Great Meadow Foundation Board.

Mr. Adam Shellenberger reviewed the staff report, a copy of which is attached to and made part of these official minutes.

Ms. Adrienne Garreau opened the public hearing.

In that there were no speakers, Ms. Adrienne Garreau closed the public hearing.

On motion made by Ms. Adrienne Garreau and seconded by Mr. John Meadows, it was moved to forward this item to the Board of Supervisors with a recommendation of approval, subject to the following conditions:

**GREAT MEADOW FOUNDATION  
SPEX-16-004723 & SPPT-16-004737**

1. The Special Exception is granted for PIN 6978-85-9359-000, 6988-14-0670-000 and 6988-03-6214-000, runs with the land as indicated in the application, and shall not be transferable to other land.
2. The Special Exception is granted only for the purpose(s), structure(s) and/or uses indicated, and shall be in general conformance with the Special Exception Exhibit dated April 25, 2016, as approved with the application, and as further qualified by these development conditions.
3. All Events
  - a. Events at Great Meadow Foundation shall be consistent with the mission of the non-profit organization: the mission is the preservation of open space at Great Meadow for equestrian and field sports, youth and community activities.
  - b. Vehicular racing, commercial horse racing (defined as a permanent horse racing track with permanent covered seating and which is operated for ten consecutive days or more at a time) and permanent horse training stables (defined as any stable regularly used for the exercise of horses used in commercial racing) shall not be permitted.
  - c. All events shall comply with the appropriate local, state and federal regulatory agencies permit requirements.
  - d. All plans for and activities conducted on the property during each event shall be as authorized by Great Meadow Foundation as Fauquier County licensee within provisions of Category 9 of the Zoning Ordinance.
  - e. Any retail sales conducted on the property shall either be (a) accessory and incidental to the permitted activity or (b) conducted by and for the benefit of non-profit, tax exempt organizations whose principal offices are located within the County. At least thirty (30) days prior to holding an event the holder of the Special Exception for the property upon which the event will be held shall provide to the Zoning Administrator the name, address and a contact person for each individual, group association, partnership or corporation which is expected to conduct retail sales at the event.

- f. There shall be no midways or motorized (automobile) events. Static displays of vehicles shall be allowed.
- g. Gates shall close at 12:00 a.m. with the exception of the private night sky watch events which are limited in attendance to private club members and extend through darkness hours.
- h. The majority of activities shall occur during daylight hours, with the exception of Twilight Polo, Twilight Jumpers, and other occasional events.
- i. The arena/stadium will only be used for equestrian and/or animal (non-human) oriented events throughout the year.
- j. With the exception of the 4<sup>th</sup> of July Event, no aircraft or helicopters shall land on the premises except for health, safety, emergency preparedness at the request of a local, state, or federal law enforcement agency, or for spraying purposes.
- k. No fireworks displays will be held on the premises, except on the 4<sup>th</sup> of July, and no light displays of any kind shall be held on the property at any time.
- l. No off-street parking or loading space shall be located within fifty (50) feet of any adjoining property which is in a Residential District. Additionally, no off-street parking or loading space shall be located within 850 feet of PIN 6978-81-7281-000, 6978-80-9825-000, 6978-90-0672-000, or 6978-90-1229-000.
- m. The existing tree area along the shared property line with PINs 6978-81-7281-000, 6978-80-9825-000, 6978-90-0672-000, or 6978-90-1229-000 shall be preserved.

#### 4. Class A Events

- a. The Applicant shall be limited to a total of eight (8) Class A Events per year.
- b. No more than five (5) Class A Events per year shall have cumulative, throughout the duration of the event, attendance over 25,000. Furthermore, the cumulative attendance of the event shall not exceed the maximum number of attendees permitted in Section 5-914.1 of the Zoning Ordinance.
- c. There shall be no more than one Class A Event per month, except in July when two Class A events may be held.
- d. No Class A Event shall exceed three (3) days in length.
- e. Class A events shall be limited to equestrian, family, picnic, community, historical, or agricultural demonstration events.
- f. Class A Events may consist of but shall not be limited to:
  - i. Virginia Gold Cup (Spring)
  - ii. International Gold Cup (Fall)
  - iii. 4th of July Celebration (includes daytime tethered Hot Air Balloons & evening Fireworks)
  - iv. Equestrian Combined Eventing

#### 5. Class B Events

- a. The Applicant shall be limited to a total of nine (9) Class B Events per year.
- b. No Class B Event shall exceed three (3) days in length.
- c. Except as permitted by Special Permit, the cumulative attendance of a Class B Event shall not exceed the maximum number of attendees permitted in Section 5-915.1 of the Zoning Ordinance.
- d. Class B Events may consist of but shall not be limited to:

- i. Professional bull riding/rodeo
  - ii. Cross Country Championships
  - iii. Cultural Festivals
  - iv. Equestrian Combined Eventing
  - v. Historical Reenactments
- e. Special Permit approval, SPPT-16-004737, allows for the following Class B events to exceed 5,000 attendees:
  - i. Cultural Festivals
  - ii. Equestrian Combined Eventing

6. Class C Events

- a. The Applicant may hold an unlimited amount of Class C Events per year.
- b. Except as permitted by Special Permit, no Class C Event shall exceed three (3) days in length.
- c. Except as permitted by Special Permit, the cumulative attendance of a Class C Event shall not exceed the maximum number of attendees permitted in Section 5-916.1 of the Zoning Ordinance.
- d. Class C Events may consist of but shall not be limited to:
  - i. Sports clinics and sports day camps
  - ii. Special interest clinics and day camps
  - iii. Local schools sports club practice and meets (cross county track, lacrosse, rugby and soccer)
  - iv. Equestrian activities: clinics, steeplechase, shows, trail rides, combined eventing, and polo
  - v. Dog events: shows, trials and demonstrations, search and rescue tracker dog training, and Basset hound hunting
  - vi. Community activities: meetings, festivals, and picnic/dinner outings
  - vii. Educational uses: Astronomy club night sky watch, rocket club, art class, nature walks, school field trip visits to site, and environmental education activities
  - viii. Flower/plant shows
  - ix. Pony club activities
  - x. Weddings
  - xi. Various social events, receptions
- e. Special Permit approval, SPPT-16-004737, allows for the following Class C Events to exceed three (3) days in duration:
  - i. Model Rocketry Launch Demonstration - 1 week maximum duration
  - ii. Middleburg Horse Show - 1 week maximum duration
- f. Special Permit approval, SPPT-16-004737, allows for the following Class C Events to exceed 1,000 attendees:
  - i. Twilight Polo (Memorial Day through September on Saturday evenings)
  - ii. Grass polo events during summer months
  - iii. Model Rocketry Launch Demonstration

7. Overnight Stays

- a. Overnight Stays shall only be permitted in the Stable Pad and Festival Hill areas of the property, as shown on the Special Exception Exhibit.

- i. Overnight Stays at the Stable Pad may occur only in conjunction with a permitted Class A or Class B event.
  - ii. Overnight Stays at Festival Hill may occur only in conjunction with a permitted Class C event.
- b. There shall be no more than eight (8) overnight stays per calendar year.
- c. Overnight Stays shall be limited to small groups, with a maximum of 25 people.
- d. All required permits from the Virginia Department of Health shall be obtained prior to any overnight stay.

#### 8. Sound

- a. The General Grounds Sound System (the largest sound system on the premises) incorporating the Stewards Stand System, the Members Hill System and the Course Perimeter System shall not be used at more than five (5) events per year.
- b. The Stewards Stand system may be used for any Class A, B, or C event.
- c. Members Hill and/or Arena/Stadium Sound Systems shall not be used more than eight days per month.
- d. Members Hill and/or Arena Sound Systems may be used after 6:00 p.m. only one night per week and only during the months of April through November, except this limitation shall not apply to the 4th of July, the spring and fall Gold Cup Races, and the Equestrian Combined Eventing.
- e. No sound system shall be activated prior to 8:00 a.m. or remain active after 11:00 p.m. or after the permitted event has ended.
- f. Sound systems (excepting small individual portables) shall only be used during events, except briefly for sound testing purposes.
- g. Sound systems shall not be expanded or enlarged so as to increase the decibel level or area of coverage beyond that which exists as of the date of the granting of the original special exception approval. Except that the Equestrian Eventing Course area may include a new sound system, or be covered by an expansion of the existing sound system.
- h. The sound system for the Equestrian Eventing Course shall only be used during two (2) events per year and shall not be used after 9:00 p.m.
- i. Cannon sounds are only permitted during historical reenactments.
- j. Amplified music shall be prohibited except during spring and fall Gold Cup Races, 4th of July, polo, benefit concerts (a maximum of two (2) times per year), or wedding events (at weddings, music shall be allowed inside tent or building only).
- k. All requirements of the Fauquier County Code, including the Zoning Ordinance, which pertain to limitations and prohibitions on noise in the applicable zoning districts shall be complied with by the holder of the special exception.

#### 9. Lighting

- a. No outdoor lighting system, other than standard floodlights attached to permanent structures, shall be used on the premises except the lights on the Events Arena/Stadium and Fleming Farm Arena.
- b. Events Arena/Stadium lighting shall be further regulated as follows:
  - i. Lights shall only be used for events and shall be extinguished no later than 11:00 p.m.



- ii. Arena/Stadium lighting system shall be used no more than four (4) days per month plus ten additional days as allocated by the applicant and only through the months of April through November, except for testing purposes and lighting for organized equestrian competitions and events (lights shall be extinguished by 9:00 p.m.)
  - iii. There shall be no expansion of the existing arena/stadium lighting system.
- c. Fleming Farm Arena lighting shall be further regulated as follows:
  - i. Lights shall be used only for events which require lighting and shall be extinguished no later than 11:00 p.m.
  - ii. Fleming Farm Arena lighting system shall be used no more than seven (7) times per year.
- d. All lights shall be shielded so that the source of light is not visible beyond the property boundary.
- e. Any replacement or installation of outdoor lighting fixtures or standards during the term of this Special Exception shall comply with the most current Performance Standards for Outdoor Lighting Control as contained in Article 9 of the Zoning Ordinance.

#### 10. Building Limits

- a. No structure shall be located closer than 100 feet to any lot line.
- b. Total permitted structures on the premises shall not exceed 35,000 square feet in area.
- c. All structures shall comply with Fauquier County building codes and building permit requirements.
- d. All structures shall be constructed of materials and colored so as to harmonize with the natural landscape.
- e. Additional permanent structures built on the premises shall be restricted to the not-to-exceed amount of 35,000 square feet and those necessary for maintenance and security of the site.

#### 11. Transportation

- a. The applicant shall comply with all requirements of the Virginia Department of Transportation (VDOT) and reimburse VDOT for use of equipment.
- b. Traffic control for all events having anticipated attendance in excess of 2,500 persons shall be coordinated with the Fauquier County Sheriff's Department.

#### 12. Public Safety and Health

- a. All Class A, B, and C events shall be approved in advance by the Office of Emergency Services, Health Department, Sheriff's Office and VDOT in compliance with Sections 5-914.6, 5-915.6, and 5-916.6 of the Zoning Ordinance. In its submittal to the Zoning Administrator, the applicant shall specify the type and number of rescue equipment, public safety personnel, traffic control, security and on-site sanitary and refreshment facilities required for each event to ensure that adequate services are maintained on site at all times.
- b. The applicant shall comply with all requirements of the Fauquier County Health Department.

13. Terms

- a. This Special Exception and Special Permit shall be issued for a period of five (5) years commencing with the month in which the Board of Supervisors approves it and ending at the end of that same month five (5) years hence, and henceforth shall then be subject to five (5) year administrative renewals by the Zoning Administrator.
- b. In addition to the procedures and standards set forth in Section 5-012 of the Zoning Ordinance for administrative renewals, if the Zoning Administrator finds that practices have changed character and there are new impacts, the Special Exception and Special Permit shall be required to go back to the Board of Supervisors for approval.

The motion carried 4-0, with Mr. Bob Lee recusing himself.

In that there was no further business, the meeting was adjourned at 6:38 p.m.

*A tape recording of the meeting, as well as the associated staff reports and attachments for each agenda item, are retained on file in the Department of Community Development's Planning Office, 10 Hotel Street, Third Floor, Warrenton, Virginia, for a period of one year.*

**THE AGENDA MAY BE MODIFIED ON ADOPTION BY THE PLANNING  
COMMISSION IN THE FORM OF ADDITIONS, DELETIONS OR REVISIONS**